

**REMARKS**

Applicants respectfully request further examination and reconsideration in view of the arguments set forth fully below. Claims 1-60 are pending but only Claims 33-44 are subject to examination. Claims 1-32 and 45-60 are withdrawn pursuant to a restriction requirement. In the office action mailed March 23, 2006, claims 33-44 stand rejected. Favorable reconsideration is respectfully requested.

Rejections under 35 U.S.C. §102(e):

Claims 33-44 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,704,409 B1 (hereinafter Dilip). The applicants respectfully traverse this rejection.

The present invention teaches a system for and method of handling multimedia contacts. When a contact is received it is assigned to a service tier as a method of establishing a priority for that contact; each contact is in its own tier. As circumstances change the service tier for that contact can be changed up or down; escalated or de-escalated from one service tier to another. Thus, for a given contact, it will be placed into the queue according to its service tier. As circumstances change, that service tier for that contact can change and its position in the queue will correspondingly change. A first contact can be after a second contact in the queue. Owing to a change in circumstances that first contact be moved before that same second contact in the queue.

In sharp contrast, what Dilip describes is quite different. A contact is received and assigned a priority. If a contact has languished too long, such that it is close to violating QOS criteria, its position in the queue is escalated. Its service tier is NOT ADJUSTED.

The Official Action states that Dilip (Col. 11, lines 52-58) teaches “to de-escalate the contact to a lower service tier if a change in the routing criteria does not satisfy pre-defined criteria for the initial service tier.” The applicants strongly disagree. Rather, the recited portion of Dilip essentially states that the criteria for assignment of tiers can be chosen to meet certain goals. There is no teaching, hint or suggestion that the service tier of a contact, once assigned can ever be changed. Thus, Dilip does not teach at least this limitation of the claimed invention.

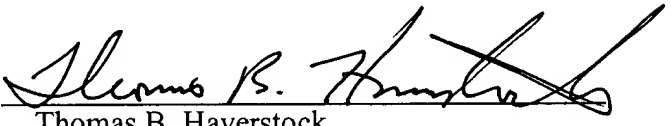
Likewise the Official Action states that Dilip (Col. 12, lines 20-38) teaches “to escalate the contact to a higher service tier if a change in the routing criteria satisfies predefined criteria for the higher service tier.” This is not what Dilip teaches. Dilip teaches establishing one or more queues. For example, there can be a queue for phone calls and another for email messages. The cited portion of Dilip teaches that contact that is approaching their QOS limit will be

adjusted in the queue. Dilip does not teach that a contact will be moved from one queue to another queue. Thus, Dilip does not teach at least this limitation of the claimed invention.

For at least these reasons, Applicant respectfully submits that the Claims 33-44 are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
HAVERSTOCK & OWENS LLP

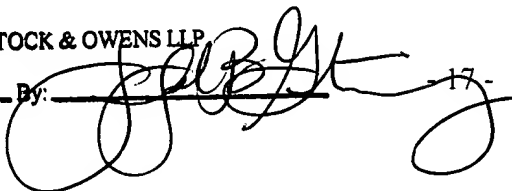
Dated: 6-23-06

By:   
Thomas B. Haverstock  
Reg. No. 32,571  
Attorneys for Applicant(s)

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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